

**BAKER & HOSTETLER LLP**

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*Attorneys for Irving H. Picard, Trustee for the  
Substantively Consolidated SIPA Liquidation of  
Bernard L. Madoff Investment Securities LLC and  
the Estate of Bernard L. Madoff*

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION  
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT  
SECURITIES, LLC,

Defendant.

In re:

BERNARD L. MADOFF INVESTMENT  
SECURITIES LLC,

Debtor.

IRVING H. PICARD, Trustee for the Liquidation  
of Bernard L. Madoff Investment Securities LLC,

Plaintiff,

v.

WILLIAM PRESSMAN, INC.; WILLIAM M.  
PRESSMAN, individually; ELLEN LEV TRUST;  
ELLEN LEV, in her capacity as trustee for the  
Ellen Lev Trust; ALICE JACOBS, individually;

Adv. Pro. No. 08-01789 (SMB)

SIPA Liquidation

(Substantively Consolidated)

Adv. Pro. No. 10-05309 (SMB)

ILENE MAY, individually; SHIRLEY BLANK, individually; ESTATE OF BEA LAUB; JAVIER ORDAZ, in his capacity as personal representative of the Estate of Bea Laub; ALICE WEINER, individually; HARRIET BARBUTO, individually; EVY ROSENFELD, individually; SHERMAN ROSENFELD, individually; DEBRA TAMBLYN, individually; ALLAN WILSON, individually; JOSEPH AMATURO, individually; and WINIFRED AMATURO, individually,

Defendants.

**TRUSTEE'S REQUEST TO ENTER DEFAULT**

To: CLERK OF THE COURT  
UNITED STATES BANKRUPTCY COURT

Irving H. Picard (the "Trustee"), as trustee for the liquidation of the business of Bernard L. Madoff Investment Securities, LLC under the Securities Investor Protection Act, 15 U.S.C. §§ 78aaa, *et seq.*, and the estate of Bernard L. Madoff, by and through his counsel, Baker & Hostetler LLP, respectfully requests that the Clerk of the Court issue a Certificate of Default against defendant, WILLIAM PRESSMAN, INC., pursuant to Rule 55(a) of the Federal Rules of Civil Procedure, made applicable to this Adversary Proceeding by Rule 7055 of the Federal Rules of Bankruptcy Procedure, for failure to plead or otherwise defend the above-captioned action as it fully appears from the Court file and from the attached Affidavit.

**WHEREFORE**, the Trustee respectfully requests that this Court grant the Trustee's Motion in its entirety and provide for such other relief as this Court deems just and proper.

Dated: New York, New York  
June 10, 2014

Respectfully submitted,

Of Counsel:

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*/s/ Nicholas J. Cremona*

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individually, SHERMAN ROSENFELD, individually, DEBRA TAMBLYN, individually, ALLAN WILSON, individually, JOSEPH AMATURO, individually; and WINIFRED AMATURO, individually, (“Defendants”). (Dkt. No. 1.) The Complaint asserted claims pursuant to sections 78fff(b), 78FFF-1(a) and 78fff-2(c)(3) of SIPA, sections 105(a), 544, 548(a), 550(a), and 551 of the United States Bankruptcy Code, 11 U.S.C. §§ 101, *et seq.*, and other applicable law, seeking the avoidance and recovery of fraudulent conveyances in connection with certain transfers of property by BLMIS to or for the benefit of Defendants (*Id.*).

3. On March 23, 2010, the Clerk of this Court issued a summons upon Defendants. (Dkt. No. 5)

4. On March 24, 2010, the Trustee, in accordance with Bankruptcy Rule 7004(b) of the Federal Rules of Bankruptcy Procedure, timely served the Summons and Complaint upon WILLIAM M. PRESSMAN, INC. (“Defaulting Defendant”). (*See* Dkt. Nos. 1, 2 and 5.) An Affidavit of Service evidencing proper and timely service was filed with the Court. (*See* Ex. A, Affidavit of Service; Dkt. No. 6.)

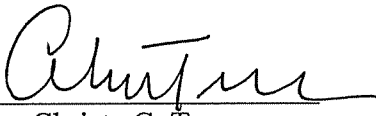
5. Pursuant to the Order (1) Establishing Litigation Case Management Procedures For Avoidance Actions And (2) Amending The February 16, 2010 Protective Order governing the litigation of certain avoidance actions, including this adversary proceeding, the time by which Defaulting Defendant may answer or otherwise move with respect to the Complaint expired May 23, 2011. (*See* Dkt. No. 5).

6. Despite being duly served with the Summons and Complaint, the Defaulting Defendant did not file an answer, move, or otherwise respond to the Complaint on or before June 10, 2014.

7. The Defaulting Defendant is a business entity and therefore is neither an infant nor an incompetent.

8. Moreover, because the Defaulting Defendant is a business entity, the protections afforded under the Servicemember's Civil Relief Act of 2003 should not apply.

9. I declare under penalty of perjury that the foregoing is true and accurate to the best of my knowledge, information and belief.

/s/   
Christa C. Turner

Sworn to before me this 17th  
day of June, 2014 by Christa Turner who is  
personally known by me.

Notary Public

